



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
SB2283

Introduced 1/22/2004, by James A. DeLeo

SYNOPSIS AS INTRODUCED:

40 ILCS 5/5-234 from Ch. 108 1/2, par. 5-234
40 ILCS 5/6-227 new
30 ILCS 805/8.28 new

Amends the Chicago Police and Chicago Firefighter Articles of the Illinois Pension Code. Allows a transfer of up to 10 years of credits and creditable service from the Chicago firefighters pension fund to the Chicago police pension fund. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB093 20210 LRD 45962 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT in relation to public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by
5 changing Section 5-234 and adding Section 6-227 as follows:

6 (40 ILCS 5/5-234) (from Ch. 108 1/2, par. 5-234)
7 Sec. 5-234. Transfer of credits.

8 (a) Any police officer who has at least 10 years of
9 creditable service in the Fund may transfer to this Fund
10 credits and creditable service accumulated under any other
11 pension fund or retirement system established under Article 8
12 or 12 of this Code, by making application and paying to the
13 Fund before January 1, 1990 the amount by which the employee
14 contributions that would have been required if he had
15 participated in this Fund during the period for which credit is
16 being transferred, plus interest, exceeds the amount actually
17 transferred from such other fund or system to this Fund under
18 item (1) of Section 8-226.5 or item (1) of Section 12-127.5.

19 (b) A policeman may transfer to this Fund up to 10 years of
20 credits and creditable service accumulated under the pension
21 fund established under Article 6 of this Code, by making
22 written application to the Fund within 6 months of the
23 effective date of this amendatory Act of the 93rd General
24 Assembly. For the transfer to be effective, the policeman must
25 pay to the Fund before withdrawal from service the amount, if
26 any, by which the employee contributions that would have been
27 required if he or she had participated in this Fund during the
28 period for which credit is being transferred, plus interest,
29 exceeds the amount actually transferred from the Article 6 fund
30 to this Fund under Section 6-227.

31 (Source: P.A. 86-272.)

1 (40 ILCS 5/6-227 new)

2 Sec. 6-227. Transfer of creditable service to Article 5
3 fund.

4 (a) Any policeman as defined in Section 5-109 of this Code
5 who is a participant in the pension fund established under
6 Article 5 of this Code, may apply for transfer of up to 10
7 years of his or her credits and creditable service accumulated
8 in this Fund to that Article 5 fund, if he or she applies to
9 transfer those credits and creditable service within 6 months
10 of the effective date of this amendatory Act of the 93rd
11 General Assembly. Such creditable service shall be transferred
12 forthwith. Payment by this Fund to the Article 5 fund shall be
13 made at the same time and shall consist of:

14 (1) the amounts accumulated to the credit of the
15 applicant, including interest, on the books of the Fund on
16 the date of transfer, but excluding any additional or
17 optional credits, which credits shall be refunded to the
18 applicant; and

19 (2) municipality credits computed and credited under
20 this Article, including interest, on the books of the Fund
21 on the date the member terminated service under the Fund.

22 Participation in this Fund as to any credits transferred
23 under this Section shall terminate on the date of transfer.

24 (b) Any such elected policeman may reinstate credits and
25 creditable service terminated upon receipt of a separation
26 benefit, by payment to the Fund of the amount of the separation
27 benefit plus interest thereon to the date of payment.

28 Section 90. The State Mandates Act is amended by adding
29 Section 8.28 as follows:

30 (30 ILCS 805/8.28 new)

31 Sec. 8.28. Exempt mandate. Notwithstanding Sections 6 and 8
32 of this Act, no reimbursement by the State is required for the
33 implementation of any mandate created by this amendatory Act of
34 the 93rd General Assembly.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.